## Outing Immigrants CP

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#### Counterplan: Public colleges and universities in the United States ought not restrict constitutionally protected speech, with the exception of speech intended to publicly reveal and name undocumented students on campus.

#### Speeches targeting undocumented immigrants on campus endanger their safety

Asimov 2/1 [Nanette Asimov, "UC warns campus group: Yiannopoulos event could target students," San Francisco Chronicle, 2/1/2017] AZ

UC Berkeley officials are warning the hosts of a Wednesday night event featuring right-wing provocateur Milo Yiannopoulos that his campus speech may be used to target individual students in the country without documentation. “We are deeply concerned for all students’ safety and ability to pursue their education here at Cal beyond Milo’s speech,” the university’s Office of Student Affairs said in a letter Tuesday to the Berkeley College Republicans, the students hosting the event. “Milo’s event may be used to target individuals, either in the audience or by using their personal information in a way that causes them to become human targets to serve a political agenda.” The letter expressed concerns that Yiannopoulos — a British writer for the right-wing opinion site Breitbart News — will use his appearance to kick off a campaign “targeting the undocumented student community on our campus,” and linked to an article published Tuesday on the site. The article begins: “Milo and the (conservative think tank) David Horowitz Freedom Center have teamed up to take down the growing phenomenon of ‘sanctuary campuses’ that shelter illegal immigrants from being deported.” It continues: “Backed by the Freedom Center (Yiannopoulos) will call for the withdrawal of federal grants and the prosecution of university officials who endanger their students with their policies, starting with UC President and former Secretary of Homeland Security, Janet Napolitano and Berkeley Chancellor Nicholas Dirks.” The article coincides with an executive order issued Friday by President Donald Trump banning travel to the United States from citizens of seven majority-Muslim countries for 90 days that has wreaked havoc in international travel and left many students stranded. The UC Berkeley letter warns the Republican hosts of the event that Yiannopoulos could target individual students — holding up their photos or revealing personal information about them — during the speech that will be live-streamed, “putting students at risk.” “Other targeted groups on our campus have experienced Horowitz’ tactic of publicizing the names and pictures of individuals on posters throughout campus property, and there is a likelihood that there will be Horowitz-backed posters pasted throughout our campus,” the letter said. Representatives of the Berkeley College Republicans did not respond to requests for comment. Meanwhile, hundreds of Yiannopoulos critics — students, faculty and others — have been preparing to protest the campus event.

#### Publicizing undocumented status results in psychological harm, likely deportation, and poverty

Stuteville 14 [Sarah Stuteville (reporter), "Looking at the plight and rise of undocumented immigrants," Seattle Times, 10/23/2014] AZ

But that decision to make yourself more visible can be agonizing says Jennifer Martinez, a 17-year-old Redmond High School student. Especially when you’re outing the rest of your family. “I was scared of potential legal actions against my parents,” says Martinez who herself is a citizen, but whose parents are undocumented. Martinez made news last year when she and a friend confronted House Speaker John Boehner in a Washington, D.C., diner about the impact of deportations on families and children. “They could be deported, separated from their families, they know they could be putting a target on their back,” says Rich Stolz, Executive Director of OneAmerica, a Seattle-based immigrant-rights organization, explaining the potential dangers of publicly revealing one’s undocumented status. Stolz says it’s still not common for people to come out — the risks are just too great. The ones that do are often “dreamers,” who are the children of undocumented parents and feel a responsibility to advocate on behalf of their family members and communities. Martinez says she was motivated by a childhood where the specter of her family’s mixed-citizenship status loomed everywhere. Like the afternoon when she and fellow neighborhood children were quickly ushered inside to hide from an Immigration and Customs Enforcement agent, or when she didn’t sign up for a Redmond Police Department youth program because she was afraid it would endanger her parents. That was the hardest part about coming out for Martinez. After years of trying to protect her parents she was putting her family in the spotlight — revealing the secret they’d all worked so hard to keep. “(When) I got back to the hotel room (after the confrontation with Boehner) I just called my dad and burst into tears,” remembers Martinez who works as a youth organizer for OneAmerica, “I said ‘I’m sorry, I didn’t know it was going to be this big.’ ” And that burden can’t fall to undocumented people alone says Vargas, who believes that any successful civil-rights movement (and he does see immigration reform as a civil-rights issue) needs allies.

#### It's happened before – but is clearly constitutionally protected speech

Martin 2/7 [Glen Martin (reporter), "Do Milo’s Intentions Matter?," *California Magazine,*  2/7/2017] AZ

But it is now clear that another element was in play. During his talk, Yiannopoulos apparently intended to release the names of undocumented Cal students. There was no attempt at subterfuge, in that the plan was detailed in articles that ran in the far-right press the day before the event. Indeed, the Office of Student Affairs sent a letter to Berkeley College Republicans expressing concern: Dear BCR Signatories - I am deeply aware of the many complex issues that are swirling around Milo’s visit to our campus and you no doubt have a lot on your plates right now. I must now also make sure you are aware that Milo, Brietbart and the David Horowitz Freedom Center have published an article today, 1/31/17, stating their intention to use the Berkeley College Republican’s event to launch their campaign targeting the undocumented student community on our campus. Here is the article: http://www.breitbart.com/milo/2017/01/31/milo-horowitz-start-campaign-sanctuary-campuses/ There are concerns that he will be employing the strategies of using pictures and personal information of Cal students during his speech which, as you know, is simultaneously being live-streamed therefore making these images widely available and subsequently putting students at risk. Also, please know other targeted groups on our campus have experienced Horowitz’ tactic of publicizing the names and pictures of individuals on posters throughout campus property and there is a likelihood that there will be Horowitz-backed posters pasted throughout our campus tomorrow publicizing the Milo event in conjunction with targeted individual’s names. BCR has expressed their position condemning these tactics and, in fact, have been victimized themselves [via doxxing]. We are deeply concerned for all student’s [sic] safety and ability to pursue their education here at Cal beyond Milo’s speech. At the bottom of this email are campus resources for reporting incidents. Please let me know your thoughts on what BCR can do to address the concerns that Milo’s event may be used to target individuals, either in the audience or by using their personal information in a way that causes them to become human targets to serve a political agenda. Let me know if I can be a resource in managing this issue. I will be available throughout the day Wednesday, 2/1/17, at the LEAD Center, 432 Eshleman Hall. Respectfully Yours, [A Student Affairs Staff Member] A source close to UC Berkeley’s administration said that BCR then asked Yiannopoulos’ associates to convince him to refrain from naming names. “But they were told Milo was not in the habit of taking directives, and that he often did the very thing people asked him not to do,” the source said. Emails from CALIFORNIA to Berkeley College Republicans requesting comment were not returned. Even if Yiannopoulos had released the names, that wouldn’t have changed the university’s obligation to both uphold the basic tenets of free speech and respond decisively to imminent disruption, said Dan Mogulof, the university’s assistant vice chancellor of communications and public affairs. “The University cannot prohibit or punish speech that is constitutionally protected, and prior restraint of speech—that is, censorship prior to a court’s determination that the speech is not allowed—faces a particularly heavy legal burden,” Mogulof stated. Discussion of a person’s immigration status does not fall outside the scope of constitutionally protected speech, says Mogulof. “…So while the university would certainly condemn the targeting of unwilling individuals in such a manner, the possibility that a speaker might do so would not provide a legal basis for the university to engage in censorship.”

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#### It's unethical

Oppenheim 2/3 [Maya Oppenheim, "UC Berkeley protests: Milo Yiannopoulos planned to 'publicly name undocumented students' in cancelled talk," Independent, 2/3/2017] AZ

Milo Yiannopoulos reportedly planned to publicly name undocumented students at his cancelled Berkeley University event. The Breitbart senior editor, who was one of Twitter’s most notorious trolls until the site permanently banned him in July, was due to speak at the university on Wednesday but the event was called off due to heated protests. Demonstrators threw smoke bombs, started fires and smashed windows. Berkeley University officials warned Mr Yiannopoulos, an outspoken Donald Trump supporter, was planning to use the talk to target students who do not have documentation to live in the US. “We are deeply concerned for all students’ safety and ability to pursue their education here at Cal beyond Milo’s speech,” the university’s Office of Student Affairs said in a letter sent to Berkeley College Republicans, the students hosting the event, on Tuesday. “Milo’s event may be used to target individuals, either in the audience or by using their personal information in a way that causes them to become human targets to serve a political agenda.” Mr Yiannopoulos told The Independent that suggestions he would use the event to name undocumented migrants were "a total fabrication" and categorically denied the reports. George Ciccariello-Maher, a professor at Drexel University, claimed reliable sources believed Mr Yiannopoulos was planning on outing undocumented students. “Reliable sources say Milo planned to publicly name undocumented students @UCBerkeley. Debate over: shutting him down was necessary & good,” he wrote on Twitter. Far-right news site Breitbart published an article a day before the event, saying Mr Yiannopoulos would use the Berkeley talk to claim US universities have become “sanctuary campuses that shelter illegal immigrants from being deported”. “Backed by the Freedom Center (Mr Yiannopoulos) will call for the withdrawal of federal grants and the prosecution of university officials who endanger their students with their policies, starting with UC President and former Secretary of Homeland Security, Janet Napolitano and Berkeley Chancellor Nicholas Dirks,” reads the article. Since the talk was cancelled, Mr Yiannopoulos has claimed he was planning to discuss cultural appropriation in a full Native American headdress at the event.

#### Although it's unethical, public outing of undocumented students is protected speech

Barmann 2/8 [Jay Barmann, "Free Speech?: Milo Yiannopoulos Planned To Out Undocumented Students By Name In His Berkeley Talk," 2/8/2017] AZ

While some on the right are going to argue that identifying undocumented immigrants on a public stage still falls within the bounds of free speech and the First Amendment, there are big ethics and decency questions here — as there have been with virtually everything Yiannopoulos has said and done for attention under the guise of being a "free speech advocate." He used a similar tactic, projecting a photo of a trans student during a December speech at the University of Wisconsin, Milwaukee, singling her out for ridicule.